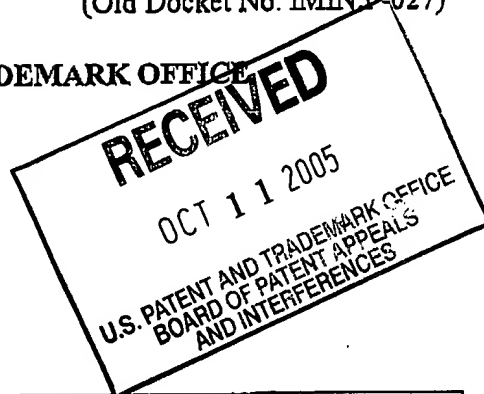


DOCKET NO: ISA-54.02
(Old Docket No. IMIN P-027)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

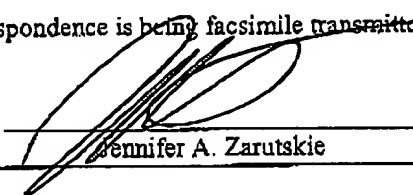
Applicant: Penfold
Serial No: 09/557,955
Confirmation No: 8900
Filed: April 25, 2000
For: Assay Reagents and Devices

Examiner: Duffy, Patricia Ann
Art Unit: 1645



CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the correspondence is being facsimile transmitted to the USPTO at 571-273-0052 on October 11, 2005.


Jennifer A. Zarutskie


WITHDRAWAL OF APPEAL BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Pursuant to M.P.E.P. § 1215.01, Applicants request that the appeal of claims 2-11 be withdrawn and that claims 2-11 be canceled so that allowed claims 12-20 may issue.

No fee is believed to be due in connection with this submission. The Commissioner is hereby authorized to charge any deficiencies to Deposit Account Number 06-1448, Reference ISA-054.02.

The Board is requested to telephone Applicants' undersigned counsel at the number given below if any questions should arise in connection with this matter.

Respectfully submitted,
FOLEY HOAG LLP


Jennifer A. Zarutskie, Ph.D.
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Attorney for Applicants

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Dated: October 11, 2005
746879.1

PTO/SB/21 (08-04)


Approved for use through 07/31/2006. OMB 0851-0031

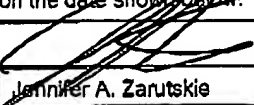
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/557,955
		Filing Date	April 25, 2000
		First Named Inventor	Penfold
		Art Unit	1645
		Examiner Name	Duffy
Total Number of Pages in This Submission	2	Attorney Docket Number	ISA-054.02

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Foley Hoag LLP		
Signature			
Printed Name	Jennifer A. Zarutskie, Ph.D.		
Date	October 11, 2005	Reg. No.	50,558

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